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60130-1915:02MRA0419

REMARKS

Claims 1-18 remain pending in the application including independent claims 1 and 11. The amendments to the claims are not made in response to any objections or rejections set forth in the subject official action. The claims have been amended solely to provide consistent terminology throughout the claims and to provide for proper antecedent basis.

Claim 11 stands rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Specifically, the examiner requests clarification as to "whether the blocking signal detects both an obstruction and indicating window approaching closure." The examiner then states that the examiner believes that applicant meant "fully closed position" instead of "approaching a fully closed position."

First, claim 11 is correct as written, i.e. applicant meant to use the terminology "approaching a fully closed position." As explained in the specification at paragraph [9], the blocking signal is generated when the window pane is approaching a fully closed position or is entering the last few millimeters of its path when it is closed. The blocking signal is not generated when a fully closed position is reached.

Second, the blocking signal has nothing to do with detecting an obstruction in the path of the window pane. In fact, the subject invention has nothing to do with detecting obstructions. As set forth at paragraphs [4]-[5] of the subject application, applicant was seeking to provide for the option of simultaneous closing of multiple window panes without experiencing a voltage

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drop in the on-board supply, which could otherwise adversely affect other vehicle systems such as electronic steering or braking.

As set forth in claim 11, and as described in the accompanying specification, applicant accomplishes this by generating a blocking signal when a sensor indicates that at least one widow pane is approaching a fully closed position. If, for example, a blocking signal is detected for the first window pane, the controller moves the second window pane to an approximately closed position, as opposed to a fully closed position. If there is no detection of a blocking signal for the first window pane in this example, the controller would move the second window pane to the fully closed position.

Applicant asserts that claim 11 is definite and requires no additional clarification. Applicant respectfully requests that the rejection of claim 11 under 35 U.S.C. 112, second paragraph, be withdrawn.

Claims 1, 2, 6, 8, and 9 stand rejected under 35 U.S.C. 102(e) as being anticipated by Creguer (US 6541929). Claim 1 is directed to a method of controlling first and second window lifter motors including detecting when a first window pane is approaching a fully closed position, checking whether a second window pane is approaching the fully closed position, moving the first window pane to an approximately closed position if the second window pane is approaching the fully closed position, and moving the first window pane to the fully closed position if the second window pane is not approaching the fully closed position.

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Creguer does not disclose such a method. Instead, Creguer is directed to a window control system in which all four vehicle windows can be lowered by a small amount when the vehicle is parked to permit increased air flow. Further, the Creguer window control system is capable of closing all vehicle windows without having to actuate all four window switches. See column 1, lines 41-49.

The Creguer window control system operates in the following manner. In response to actuation of one of the switches 52-58, the controller 40 energizes the associated motor to move the associated window panel in the desired direction. In response to a momentary actuation of at least two of the switches 52-58, the controller 40 lowers all of the window panes 12-18 to a slightly open position, or the controller 40 raises all of the windows to a fully closed position depending on the direction desired. The window control system monitors the switches 52-58 at step 204 in Figure 2. If only one switch is activated, the process proceeds to step 208 where the window is controlled by known methods. If more than one switch is activated, the process proceeds to step 210 where a determination is made as to whether two switches are both simultaneously and momentarily activated. If not, the process proceeds to step 208 where the windows are controlled by known methods. If the two switches are both simultaneously and momentarily activated then a direction of movement is then determined at step 212. If a closing direction is indicated, then the windows are all driven by their respective motors until all windows are fully closed. If an opening direction is indicated then the windows will be opened by a small amount to increase air flow.

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Creguer does not perform any of the steps set forth in claim 1. Further, as explained in the summary of the Creguer control system above, Creguer discloses nothing that is pertinent to applicant's invention. The examiner argues that Creguer discloses checking when the first or second window pane is approaching a fully closed position by using a position sensor 62, citing col. 3, lines 10-40. Applicant disagrees. This section of Creguer describes motor position sensors that are used to determine window position during operation. Further, the window position determination is specifically linked to identifying a control for opening each of the windows to a slightly open position, i.e. one centimeter. There is absolutely no disclosure of using these sensors to detect when a window pane is approaching a fully closed position.

The examiner further argues that Creguer discloses moving the first window pane to an approximately closed position if the second window panel is approaching the fully closed position, citing col. 2, lines 49-67. Again, applicant disagrees. This section of Creguer states that in response to actuation of one of the switches 52-58, the controller 40 energizes the associated motor to move the associated widow panel in the desired direction (col. 2, lines 53-57). In response to a momentary actuation of at least two of the switches 52-58, the controller 40 lowers all of the window panes 12-18 to a slightly open position, or the controller 40 raises all of the windows to a fully closed position depending on the direction desired (col. 2, lines 62-67). There is absolutely no disclosure in Creguer of moving one window pane to an approximately closed position if another window pane is approaching the fully closed position.

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The examiner also, for some unfathomable reason, refers to col. 3, lines 1-10 as being particularly relevant to claims 1 and 2. This section of Creguer discloses that the switches are biased to a center, non-actuated position, and are configured to respond to "one-touch" actuation. This has nothing to do with claims 1 or 2. In fact, none of the steps set forth in claims 1 or 2 are associated with switching mechanisms.

The examiner also refers to material set forth at col. 3, line 62 to col. 4, line 10. This section of Creguer simply refers to displacement of the window panes in a downward direction (col. 3, lines 62-67) or to driving the window panes in an upward direction into a fully closed position (col. 4, lines 4-10). Again, there is absolutely no mention in Creguer of moving a window pane to an approximately closed position, as opposed to a fully closed position, depending on the position of the other window panes. Further, there is no teaching of subsequently moving this window pane to a fully closed position once the other window panes are in the fully closed position. Creguer clearly teaches a method in which all four windows are simultaneously moved into a fully closed position.

With regard to claim 6, the examiner argues that the features of claim 6 are set forth at col. 3, lines 10-40. Applicant disagrees. Claim 6 defines the approximately closed position as corresponding to a position where at least one of the first and second window panes contacts a corresponding seal with low force. As explained above, Creguer makes no disclosure of moving a window pane to an approximately closed position if another window pane is moving to a fully closed position. Further, the section indicated by the examiner makes no mention of an

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approximately closed position being a position where there is contact with a window seal. In fact, Cregeur teaches the opposite. Cregeur teaches to move from a fully closed position to a partially, or slightly open, position where the window is opened by about one centimeter at the top to increase air flow. If there was seal contact in such a position in Cregeur, there would be no air flow.

For the many reasons set forth above, the rejection of claims 1, 2, 6, 8, and 9 under 35 U.S. 102(e) is improper and must be withdrawn.

Claims 3-5 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Creguer in view of Ikeda (JP 10-102905). For the reasons set forth above, Cregeur does not disclose, suggest, or teach the features of the claimed invention. Ikeda does not make up for the deficiencies of Cregeur.

Claim 7 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Creguer in view of Ikeda (JP 10-102905) and further in view of Itoh (US 4870333). For the reasons set forth above, Cregeur does not disclose, suggest, or teach the features of the claimed invention. Ikeda and Itoh do not make up for the deficiencies of Cregeur.

Claim 10 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Creguer in view of Kurihara et al. (US 4536687). For the reasons set forth above, Cregeur does not disclose, suggest, or teach the features of the claimed invention. Kurihara does not make up for the deficiencies of Cregeur.

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Claims 11-12 and 15-18 stand rejected under 35 U.S.C. 102(b) as being anticipated by Ikeda (JP 10-102905). The examiner argues that Ikeda discloses a blocking signal generator 18 that generates a blocking signal when a sensor 24 indicates that one of the window panes is approaching a fully closed position. Applicant disagrees.

Again, the examiner seems to not fully understand the subject invention. As set forth at paragraphs [4]-[5] of the subject application, applicant was seeking to provide for the option of simultaneous closing of multiple window panes without experiencing a voltage drop in the on-board supply, which could otherwise adversely affect other vehicle systems such as electronic steering or braking. Ikeda merely describes a conventional method for detecting an object in the path of a window pane. Applicant's invention is not directed to a method for detecting an obstruction. Thus, Ikeda does not disclose anything that is pertinent to applicant's invention.

Claim 11 includes the feature of a blocking signal that is generated when a window pane is approaching a fully closed position. This is explained at paragraphs [9], [20], [24], and [25]. Ikeda clearly does not disclose this feature. Instead, Ikeda discloses an obstruction detection system where, as soon as an obstruction is detected, operation of the drive motor is suspended. This data is then stored in memory to improve subsequent obstruction detections.

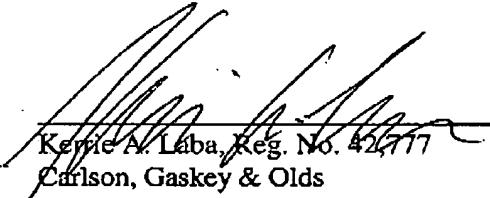
There is absolutely no disclosure in Ikeda of the features of the claimed invention as set forth in claim 11, let alone a disclosure of the features of claims 12 and 15-18. Applicant respectfully requests that the rejection of claims 11-12 and 15-18 under 35 U.S.C. 102(b) as being anticipated by Ikeda (JP 10-102905) be withdrawn.

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Claims 13-14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Ikeda (JP 10-102905) in view of Itoh (US 4870333). For the reasons set forth above, Ikeda does not disclose, suggest, or teach the features of the claimed invention. Itoh does not make up for the deficiencies of Ikeda.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited. Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

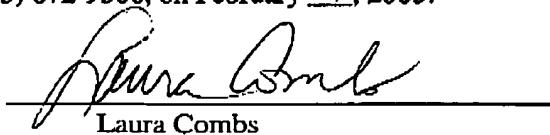
Respectfully submitted,


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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, fax number (703) 872-9306, on February 17, 2005.


Laura Combs